

# EXHIBIT

“A”

IN THE COURT OF COMMON PLEAS  
OF FRANKLIN COUNTY, PENNSYLVANIA  
CIVIL ACTION-LAW

Brenda Sidler :  
14933 Wayne Highway :  
Wayneboro, PA 17268 :  
v. : 2011-3801  
Plaintiff :  
CACH, LLC :  
4340 South Monaco Street :  
2<sup>nd</sup> Floor :  
Denver, CO 80237 :  
and :  
John Does 1-10 :  
and :  
XYZ Corporations :  
Defendant(s) :

Judge: Douglas W Herman  
Jury Trial Demanded

NOTICE

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THE COMPLAINT AND NOTICE ARE SERVED BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE DEFENDANT. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

Franklin County Legal Services  
80 North Second Street  
Chambersburg, PA 17201  
717-262-2326

ATTEST A TRUE COPY

*Theresa Kissinger*  
*DALE FERDIE, P.A.*

IN THE COURT OF COMMON PLEAS  
OF FRANKLIN COUNTY, PENNSYLVANIA  
CIVIL ACTION-LAW

Brenda Sidler	:	
14933 Wayne Highway	:	
Wayneboro, PA 17268	:	
v.	:	2011-3801
	Plaintiff	:
CACH, LLC	:	
4340 South Monaco Street	:	
2 <sup>nd</sup> Floor	:	
Denver, CO 80237	:	
and	:	
John Does 1-10	:	
and	:	Jury Trial Demanded
XYZ Corporations	:	
	Defendant(s)	:

**COMPLAINT**

**INTRODUCTION**

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. 1692, et seq. (hereinafter "FDCPA"). The aforementioned statute prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

## **JURISDICTION AND VENUE**

2. Jurisdiction and Venue is proper in this jurisdiction because a substantial portion of the acts, omissions, transactions or occurrences took place in this jurisdiction.
3. Jurisdiction and venue is proper in this jurisdiction because the Defendant(s) transact business here and the conduct complained of occurred here.

## **PARTIES**

4. Plaintiff is Brenda Sidler, an adult individual residing at 14933 Wayne HWY, Waynesboro, PA 17268.
5. Defendants are the following.
  - a. CACH, LLC., a business entity with an address including but not limited to 4340 South Monaco Street, 2<sup>nd</sup> Floor, Denver, CO 80237.
  - b. John Does 1-10, individuals or business entities whose identities are not known to Plaintiff at this time, but which will become known upon proper discovery. It is believed and averred that such Does played a substantial role in the commission of the acts described in this complaint.

**COUNT ONE: Violation of Fair Debt Collection Practices Act (15 USC 1692 g et. seq.)**

6. Plaintiff is a consumer debtor as defined by the Fair Debt Collections Practices Act (FDCPA), 15 USC 1692 et. Seq.
7. Defendant is a debt collector as defined by the FDCPA, 15 USC 1692 et. seq.
8. At all times mentioned herein, Defendant was attempting to collect on an alleged consumer debt against Plaintiff.
9. Within the applicable statute of limitations, in the Year of our Lord, 2011, Defendant sent Plaintiff a collection letter for an alleged consumer debt. See Exhibit A.
10. Said collection letter was the first communication as defined by 15 USC 1692 g.
11. Said collection letter did not contain the proper verbiage required by 15 USC 1692 g et. seq.
12. Within 5 days of the date that the attaché Exhibit A was mailed to Plaintiff by Defendant, Defendant never followed up with the written communication required under 15 USC 1692 g et. seq.

13. By engaging in the above described conduct, Defendant neglected its obligations under 15 USC 1692g.
14. By engaging in the above described conduct, Defendant violated 15 USC 1692g.
15. Defendant(s) above described conduct had the effect of confusing misleading and intimidating the Plaintiff.

**COUNT TWO: Violation of Fair Debt Collection Practices Act (15 USC 1692 et. seq.)**

**Failure to Disclose Nature of communication**

16. The previous paragraphs of this Complaint are incorporated by reference and made a part of this Complaint.

17. Within the applicable statute of limitations prior to the commencement of this action, Defendant(s) sent Plaintiff various pieces of correspondence which stated "this is not an attempt to collect a debt."

18. Said correspondence was in connection with Defendant(s) debt collection activities for Plaintiff's consumer account.

19. Said correspondence was mis-labeled and misleading as not being and attempt to collect a debt, when in fact such correspondence was an attempt to collect a debt.

20. By engaging in the above described conduct, Defendant violated the FDCPA.

21. Defendant(s) above described conduct had the effect of confusing misleading and intimidating the Plaintiff.

**COUNT THREE: Violation of Fair Debt Collection Practices Act (15 USC 1692 f et seq.)**

22. The previous paragraphs of this Complaint are incorporated by reference and made a part of this Complaint.

23. Pursuant to 15 USC 1681 s-2 of the Fair Credit Reporting Act, all furnishers of information have a duty to conduct an investigation of information that appears on a consumer's credit report, upon written request of the consumer to do so.

24. Defendant(s) was a furnisher of information as defined by the Fair Credit Reporting Act.

25. Plaintiff disputed the account in writing to Defendant(s) and requested an investigation.

26. Defendant(s) refused to conduct an investigation after having received Plaintiff's request to do so. See attached exhibits.

27. By refusing to comply with the Fair Credit Reporting Act, Defendant(s) also violated the 15 USC 1692 f of the FDCPA because Defendant's breach of the FCRA was illegal unconscionable and unfair collection activity.

28. Defendant(s) above described conduct had the effect of confusing misleading and intimidating the Plaintiff.

**DAMAGES**

17. The previous paragraphs of this Complaint are incorporated by reference and made a part of this Complaint.
18. Plaintiff demands \$1.00 actual damages at least for phone, fax, lost time, etc.
19. Plaintiff demands \$1,000.00 statutory damages under the FDCPA 15 USC 1692k.
20. Plaintiff suffered some emotional distress, anger and frustration as a result of Plaintiff's rights being violated by Defendant. The amount of such distress shall be determined at trial.

**ATTORNEY FEES**

21. The previous paragraphs of this Complaint are incorporated by reference and made a part of this Complaint.

22. Attorney fees of \$1,925.00 at a rate of \$350.00 per hour. Services include but not limited to the following.

a.	Consultation with client	1
b.	Drafting, editing and review and filing of dispute letters and assisting client to mail	.25
c.	Drafting, editing and filing of writ	.25
d.	Research on Defendant	.5
e.	Drafting, editing, review and filing of complaint	1.5
f.	Follow up with Defense	2

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$$5.5 \times \$350 \text{ per hour} = \$1,925$$

29. Plaintiff's attorney fees continue to accrue as the case move forward.

**OTHER RELIEF**

30. Plaintiff also seeks an injunction against further unlawful collection activity.

31. Plaintiff seeks declaratory relief barring Defendants from further unlawful collection activity.

32. Plaintiff seeks such other relief as this honorable Court may deem just and proper.

33. Plaintiff specifically requests / demands a jury trial in this matter.

Wherefore, plaintiff demands judgment against defendant in the amount of \$2,926.00 (actual damages, statutory damages, attorney fees). Plaintiff also seeks declaratory and injunctive relief, and such other relief as this Honorable Court may deem appropriate.

Vicki Piontek 9-15-2011  
Vicki Piontek, Esquire  
PA Bar ID No. 83559  
951 Allentown Road  
Lansdale, PA 19446  
717-533-7472  
palaw@justice.com

IN THE COURT OF COMMON PLEAS  
OF MONTGOMERY COUNTY, PENNSYLVANIA  
CIVIL ACTION-LAW

Brenda Sidler  
14933 Wayne Highway  
Wayneboro, PA 17268  
v.

Plaintiff :  
CACH, LLC :  
4340 South Monaco Street :  
2<sup>nd</sup> Floor :  
Denver, CO 80237 :  
and :  
John Does 1-10 :  
and :  
XYZ Corporations :  
Defendant(s) :  
Jury Trial Demanded

**VERIFICATION**

I, Brenda Sidler, have read the attached complaint. The facts stated therein are true and accurate to the best of my knowledge, understanding and belief.

Brenda Sidler 9/12/11  
Brenda Sidler Date

## EXHIBITS

Brenda Sidler  
14933 Wayne HWY  
Waynesboro, PA 17268

CACH, LLC  
4340 South Monaco Street  
2nd Floor  
Denver, CO 80237

Re: Brenda Sidler SSN:  
Account Number  
Alleged Balance \$867

To Whom it May Concern:

Your company has placed derogatory information on my credit report for the above referenced account.

The balance that your company claims against me is comprised largely of interest, finance charges, penalties or other fees not justified by any existing contract.

The amount stated on my credit report is excessive and inflated. I request proof of the contract justifying such charges. I also would like proof of the balance and a breakdown of all charges.

I have never been provided a copy of the contract which proves the interest rate, finance charges, late fees and other penalties. I dispute such amounts and believe that the actual balance, if any, is much lower than the amount stated on my credit report.

I am requesting that you conduct an investigation about the excessive balance and the excessive charges such as interest and other fees.

THIS IS A DISPUTED ACCOUNT. YOU MUST MARK THIS ACCOUNT AS DISPUTED ON MY CREDIT REPORT.

Sincerely,

Brenda Sidler  
Brenda Sidler

10/29/11  
Date

Brenda Sidler  
14933 Wayne HWY  
Waynesboro, PA 17268  
(717)-765-4882

CACH, LLC  
4340 South Monaco Street  
2<sup>nd</sup> Floor  
Denver, CO 80202

Re: Brenda Sidler SSN:  
Account Number  
Alleged Balance \$867

U.S. Postal Service™ <b>CERTIFIED MAIL™ RECEIPT</b> <small>(Domestic Mail Only; No Insurance Coverage)</small>	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
4700 8990	Postage \$
7001	Identified to
04700 0001	Return Receipt (Endorsement Required)
04701 7011	Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$	
Send To CACH, LLC	
Street, Apt. No., or PO Box No. 4340 S. Monaco St, 2 <sup>nd</sup> Fl.	
City, State, Zip 80202	
PS Form 3800, August 2006	
See reverse	

To Whom it May Concern:

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I am requesting that you conduct an investigation about the excessive balance and the excessive charges such as interest and other fees.

THIS IS A DISPUTED ACCOUNT. YOU MUST MARK THIS ACCOUNT AS DISPUTED ON MY CREDIT REPORT.

Sincerely,

*Brenda Sidler*  
Brenda Sidler

*6-18-2011*  
Date

Brenda Sidler  
14933 Wayne HWY  
Waynesboro, PA 17268  
(717)-765-4882

CACH, LLC  
4340 South Monaco Street  
2<sup>nd</sup> Floor  
Denver, CO 80202

By Certified U.S. Mail

Re: Brenda Sidler SSN:  
Account Number:  
Alleged Balance \$867

To Whom it May Concern:

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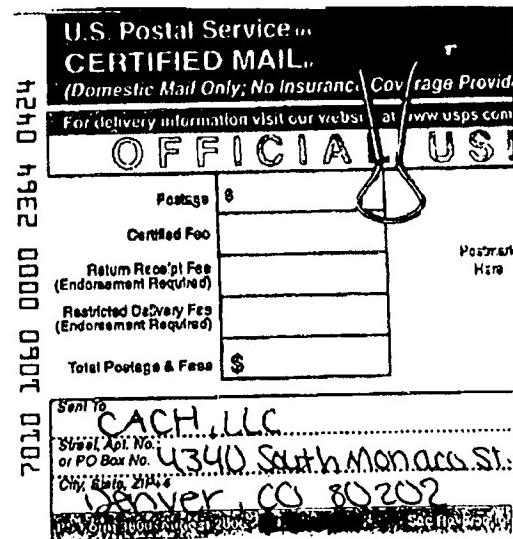
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I am requesting that you conduct an investigation about the excessive balance and the excessive charges such as interest and other fees.

THIS IS A DISPUTED ACCOUNT. YOU MUST MARK THIS ACCOUNT AS DISPUTED ON MY CREDIT REPORT.

Sincerely,

*Brenda Sidler*, 6/25/11  
Brenda Sidler Date



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# CACH, LLC

July 12, 2011

Brenda Sidler  
14933 Wayne Hwy  
Waynesboro, PA 17268

Re: Written Dispute Letter Dated: June 18, 2011 (3<sup>rd</sup> response)

Dear Brenda Sidler,

We are in receipt of your written dispute referenced above. CACH, LLC is a purchaser of charged off receivables. CACH, LLC, does not engage in any direct collection activity. Accounts are placed for collection with third party law firms and collection agencies. Our investigation into your dispute reveals the following information.

We cannot investigate your dispute because you did not provide the following information:

- original account number
- current account number
- address
- full name
- documentation supporting dispute
- written documentation that account was paid prior
- fraud affidavit or police report
- <Other> Social Security

Account could not be located need more/complete information.

Upon receipt of the information requested above we will conduct an investigation into your concerns.

Your dispute is substantially the same as a dispute previously submitted to us, either directly or through a consumer reporting agency and the account is marked as being in dispute. The disputed status of the account is being reported to the consumer reporting agencies to which we report.

Sincerely,

Customer Service

This letter is sent pursuant to the requirements of 16 C.F.R. 660.4 (f)  
This is not an attempt to collect a debt.

4340 S. Monaco St.  
Second Floor  
Denver, CO 80237

Phone (800) 478-5541  
Fax (303) 713-2505

Brenda Sidler  
14933 Wayne HWY  
Waynesboro, PA 17268  
(717)-765-4882

CACH, LLC  
370 17<sup>th</sup> St, Suite 5000  
Denver, CO 80202

**Re: Brenda Sidler SSN:  
Account Number  
Alleged Balance \$867**

To Whom it May Concern:

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THIS IS A DISPUTED ACCOUNT. YOU MUST MARK THIS ACCOUNT AS DISPUTED ON MY CREDIT REPORT.

Sincerely,

*Brenda Sidler*  
Brenda Sidler

*4/26/11*  
Date

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# CACH, LLC

July 19, 2011

Brenda Sidler  
14933 Wayne Hwy  
Waynesboro, PA 17268

Re:                   Written Dispute Letter Dated: June 25, 2011  
(4<sup>th</sup> Response)

Dear Brenda Sidler,

We are in receipt of your written dispute referenced above. CACH, LLC is a purchaser of charged off receivables. CACH, LLC, does not engage in any direct collection activity. Accounts are placed for collection with third party law firms and collection agencies. Our investigation into your dispute reveals the following information.

       We cannot investigate your dispute because you did not provide the following information:

- original account number
- current account number
- address
- full name
- documentation supporting dispute
- written documentation that account was paid prior
- fraud affidavit or police report
- Other> Social Security

Account could not be located need more/complete information.

Upon receipt of the information requested above we will conduct an investigation into your concerns.

X Your dispute is substantially the same as a dispute previously submitted to us, either directly or through a consumer reporting agency and the account is marked as being in dispute. The disputed status of the account is being reported to the consumer reporting agencies to which we report.  
**Your account was sold to RAZOR CAPITAL since 06/02/2011. Please contact this company for further assistance. (866) 575-8021**

Sincerely,

Customer Service

This letter is sent pursuant to the requirements of 16 C.F.R. 660.4 (f)  
This is not an attempt to collect a debt.

4340 S. Monaco St.  
Second Floor  
Denver, CO 80237

Phone (800) 478-5541  
Fax (303)713-2505

**CACH, LLC**

June 21, 2011

Brenda Sidler  
14933 Wayne HWY  
Waynesboro, PA 17268

**Re:** Written Dispute Letter Dated: June 10, 2011

Dear Brenda Sidler,

We are in receipt of your written dispute referenced above. CACH, LLC is a purchaser of charged off receivables. CACH, LLC, does not engage in any direct collection activity. Accounts are placed for collection with third party law firms and collection agencies. Our investigation into your dispute reveals the following information.

\_\_\_\_We cannot investigate your dispute because you did not provide the following information:

- original account number
  - current account number
  - address
  - full name
  - documentation supporting dispute
  - written documentation that account was paid prior
  - fraud affidavit or police report
  - <Other> Social Security

Account could not be located need more/complete information.

Upon receipt of the information requested above we will conduct an investigation into your concerns.

Your dispute is substantially the same as a dispute previously submitted to us, either directly or through a consumer reporting agency and the account is marked as being in dispute. The disputed status of the account is being reported to the consumer reporting agencies to which we report.

Sincerely,

## Customer Service

This letter is sent pursuant to the requirements of 16 C.F.R. 660.4 (f)  
This is not an attempt to collect a debt.

4340 S. Monaco St.  
Second Floor  
(303) 738-2229

**Brenda Sidler  
14933 Wayne HWY  
Waynesboro, PA 17268  
(717)-765-4882**

CACH, LLC  
4340 South Monaco Street  
2<sup>nd</sup> Floor  
Denver, CO 80202

By Certified U.S. Mail

**Re: Brenda Sidler SSN:  
Account Number  
Alleged Balance \$867**

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**THIS IS A DISPUTED ACCOUNT. YOU MUST MARK THIS ACCOUNT AS DISPUTED ON MY CREDIT REPORT.**

Sincerely,

Brenda Sidler 6/10/11  
Brenda Sidler Date

Brenda Sidler  
14933 Wayne Highway  
Waynesboro, PA 17268



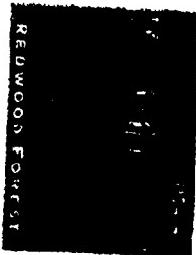
2011, 01.10.0002 1720 2477



RECEIVED

JUN 14 2011

SquareTwo Financial



ECCLESIASTES